

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b> <b>Robertson, Anschutz, Schneid, Crane &amp; Partners, PLLC</b> 130 Clinton Road, Suite 202, Lobby B Fairfield, NJ 07004 Telephone Number 973-575-0707 Attorneys For Secured Creditor  Sindi Mncina, Esq. (237862017 )	CASE NO.: 23-17147-RG CHAPTER 13  <b>Objection to Confirmation of Debtor's Chapter 13 Plan</b>
<b>In Re:</b>  <b>Stephen M. Weiner,</b>  <b>Debtor.</b>	

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Mortgage Assets Management, LLC ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 2), and states as follows:

1. Debtor, Stephen M. Weiner, ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on August 22, 2023.
2. Secured Creditor holds a security interest in the Debtor's real property located at 7-18 Cross Meadows, Fair Lawn, NJ 07410, by virtue of a Mortgage recorded on July 9, 2009 at Instrument number 09-064300.01 of the Public Records of Bergen County, NJ. Said Mortgage secures a Note in the amount of \$513,000.00.
3. The Debtor filed a Chapter 13 Plan on August 22, 2023.
4. The Plan includes payments toward the Note and Mortgage with Secured Creditor, however the figures used by the Debtor are inaccurate. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$10,409.51, whereas the Plan proposes to pay only \$0.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be

confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$10,409.51 as the pre-petition arrearage over the life of the plan.

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Robertson, Anschutz, Schneid, Crane & Partners,  
PLLC  
Attorney for Secured Creditor  
130 Clinton Road, Suite 202, Lobby B  
Fairfield, NJ 07004  
Telephone Number 973-575-0707

By: /s/Sindi Mncina  
Sindi Mncina, Esquire  
NJ Bar Number 237862017  
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**CERTIFICATION OF SERVICE**

1. I, Megan Day, am a secretary/paralegal for Robertson, Anschutz, Schneid, Crane & Partners, PLLC, which represents Mortgage Assets Management, LLC in the above-captioned matter.
2. On September 6, 2023, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below:  
  
**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

9/6/2023

Robertson, Anschutz, Schneid, Crane & Partners,  
PLLC  
Paralegal for Secured Creditor  
130 Clinton Road, Suite 202, Lobby B  
Fairfield, NJ 07004  
Telephone: 973-575-0707  
Fax: 973-404-8886  
By: /s/ Megan Day

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
John P. Fazzio Fazzio Law Offices, LLC 5 Marine View Plaza Ste 218 Hoboken, NJ 07030	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Stephen M. Weiner 7-18 Cross Meadows Fair Lawn, NJ 07410	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004-1550	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)